

SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

PART 3029—TAXES [RESERVED]

PART 3030—COST ACCOUNTING STANDARDS ADMINISTRATION

Subpart 3030.2—CAS Program Requirements

Sec.

3030.201 Contract requirements.

3030.201-5 Waiver.

AUTHORITY: 41 U.S.C. 418b (a) and (b).

SOURCE: 68 FR 67871, Dec. 4, 2003, unless otherwise note.

Subpart 3030.2—CAS Program Requirements

3030.201 Contract requirements.

3030.201-5 Waiver.

(b)(1) The CPO is authorized to waive the application of the Cost Accounting Standards to individual firm fixed-price contracts for the acquisition of commercial items. This authority may not be redelegated.

(2) Submit waiver requests per (HSAR) 48 CFR 3001.7000(a), for review and transmittal by the CPO to the Cost Accounting Standard Board.

PART 3031—CONTRACT COST PRINCIPLES AND PROCEDURES

Subpart 3031.2—Contracts with Commercial Organizations

Sec.

3031.205 Selected costs.

3031.205-32 Precontract costs.

AUTHORITY: 41 U.S.C. 418b (a) and (b).

SOURCE: 68 FR 67871, Dec. 4, 2003, unless otherwise note.

Subpart 3031.2—Contracts with Commercial Organizations

3031.205 Selected costs.

3031.205-32 Precontract costs.

(a) The decision to incur precontract costs is that of the contractor. DHS employees may not can authorize, demand, or require a contractor to incur

precontract costs. The contracting officer must advise the prospective contractor that any costs incurred before contract award are incurred at the contractor's sole risk and that if negotiations fail to result in a binding contract, payment of these costs will not be made by the Government. See (HSAR) 48 CFR 3032.205-32(b) regarding exception due to reconciliation of costs.

(b) When the contracting officer determines that incurring precontract costs was necessary to meet the proposed contract delivery schedule of a cost-reimbursement contract, the clause at (HSAR) 48 CFR 3052.231-70, Precontract Costs, may be inserted in the resultant contract.

PART 3032—CONTRACT FINANCING

Subpart 3032.000—Scope of Part

Sec.

3032.003 Simplified acquisition procedures financing.

3032.006 Reduction or suspension of contract payments upon finding of fraud.

3032.006-2 Definition.

3032.006-3 Responsibilities.

Subpart 3032.11—Electronic Funds Transfer

3032.1110 Solicitation provision and contract clauses.

AUTHORITY: 41 U.S.C. 418b (a) and (b).

SOURCE: 68 FR 67871, Dec. 4, 2003, unless otherwise note.

Subpart 3032.000—Scope of Part

3032.003 Simplified acquisition procedures financing.

Contract financing may be permitted for purchases made under the authority of (FAR) 48 CFR Part 13. This authority is delegated to COCO and may not be redelegated.